

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 PHILLIP CHARLES AUGHT, JR.,

4 Plaintiff

5 v.

6 OMNI LIMOUSINE, INC.,

7 Defendant

Case No.: 2:24-cv-01324-APG-MDC

**Order Accepting Report and
Recommendation and Dismissing Case**

[ECF No. 6]

8 On November 13, 2024, Magistrate Judge Couvillier recommended that I dismiss this
9 case because plaintiff Phillip Aught, Jr. did not pay the filing fee or file a proper application to
10 proceed in forma pauperis by the given deadline. ECF No. 6. Aught, Jr. did not object. Thus, I
11 am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C.
12 § 636(b)(1) (requiring district courts to “make a de novo determination of those portions of the
13 report or specified proposed findings to which objection is made”); *United States v. Reyna-*
14 *Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the district judge must review the
15 magistrate judge’s findings and recommendations de novo *if objection is made*, but not
16 otherwise” (emphasis in original)).

17 I THEREFORE ORDER that Magistrate Judge Couvillier’s report and recommendation
18 **(ECF No. 6) is accepted**, and this case is dismissed without prejudice. The clerk of court is
19 instructed to close this case.

20 DATED this 2nd day of December, 2024.

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23 ANDREW P. GORDON
CHIEF UNITED STATES DISTRICT JUDGE